

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARY A. SHELLY,	:	CIVIL ACTION NO. 1:03-CV-0802
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
PA. DEPT. OF CORRECTIONS	:	
SECRETARY BEARD, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 8th day of November, 2005, upon consideration of defendants' motion to amend (Doc. 60), requesting leave to amend the answer to include certain defenses, and it appearing that plaintiff has not filed a response to the motion, see L.R. 7.5 ("Any party opposing any motion shall file a responsive brief . . . [or] shall be deemed not to oppose such motion."), and the court finding that justice requires that defendants be granted leave to amend, see FED. R. CIV. P. 15(a) ("[A] party may amend the party's pleading only by leave of court . . . [which] shall be freely given when justice so requires."), it is hereby ORDERED that:

1. Defendants' motion to amend (Doc. 60) is GRANTED.
2. Defendants shall file an amended answer on or before November 23, 2005.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge